

0012

Outgoing
c/015/0015

From: Steve Christensen
To: John Gefferth
CC: Dana Dean; Daron Haddock; Ingrid Wieser; Jim Smith; Joe Helfrich; O...
Date: 2/5/2009 10:01 AM
Subject: Fwd: Re: Emery Deep: Task #3099 (Zero Zero North)
Place: OGMCOAL

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John,

Based on our meeting yesterday, the following are the deficiencies/issues that have been raised thus far in the review of the Zero Zero North Panel and permit area reduction amendment:

- 1). The pre-subsidence survey information needs to be revised. The ammendment should reflect in the text as well as the plates that the Zero Zero North Panel area has been surveyed as outlined under the pre-subsidence survey rules. As we discussed, Figure 1 of Appendix V-5, as well as Plates V-1, V-2, V-3, V-4 and V-5 should be revised so that it's clear upon reviewing the plates that the area has been surveyed. You had discussed a way to revise these plates to more accurately show what areas had been covered by the pre-subsidence surveys.
- 2). All maps that depict mine works should modified so that it's easy to differentiate between historic mine works, the currently active/approved mine works and the future/projected mine works.
- 3). As far as maps go, the line that is currently depicted as "Adjacent Area" should be revised to be called something other than "adjacent area". We discussed "right of entry boundary". In discussing the issue with Priscilla this morning, she offered the terms "operations area", "active operations area", "active lease area" or "active mine works" as possible alternatives. Discuss it with your colleagues and see what their thoughts are on the issue and let us know what you come up with.
- 4). Text changes should be made on page 8 of Chapter 1 as well as on page 1 of Chapter IV. Both pages make references to the adjacent area "being approximately 5,642 acres". As we discussed, the 'adjacent area' as defined does not follow the former permit area boundary, or surface ownership boundaries or lease boundaries etc. If you wanted to revise that language to that of "Right of Entry Boundary" or whatever it is you prefer to call the area as discussed in item number 3). above, that'd be alright with me. There may be other text changes that are triggered with our re-thinking of how we apply the term "adjacent area" so you'll want to double check all the redline edits of 'permit area' that were submitted.
- 5). Please provide a biological survey of the ZZ North Panel area which includes a survey for threatened, endangered and sensitive species. This needs to be accompanied by a commitment that if T&E species are found, the Division will be contacted to determine appropriate mitigation or avoidance measures.

That's it for now. I'll be sure to forward any subsequent deficiencies (if there are any) as they're identified. I wanted to also mention that I will be staying over in Price on Tuesday night and am planning on making the Emery Deep PFO MRP changes on Wednesday morning. So if you could arrange for the binders at Earthfax to be delivered to the Division today or Monday at the latest, I can get the PFO copy up to speed next week.

Let me know if you have any questions or if your take on our meeting yesterday differs with what I've outlined here.

Thanks,
Steve

Steve Christensen
Environmental Scientist III